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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,791	11/15/2001	Carsten Guenther	DE9-2000-0033 (268)	4874
7590 06/30/2005 LAHIVE & COCKFIELD, LLP 28 STATE STREET BOSTON, MA 02109			EXAMINER YOUNG, DONALD G	
			ART UNIT 2654	PAPER NUMBER
DATE MAILED: 06/30/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/003,791

Applicant(s)

GUENTHER ET AL.

Examiner

Donald Young

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1-13-03</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: Fig. 2, element 12. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-10, 17-21** are rejected under 35 U.S.C. 102(e) as being anticipated by Profit, Jr. *et al.* (USPN 6636831).

Regarding claim 1, Profit, Jr. *et al.* discloses a client system for gathering information via a network by voice input comprising:

- a speech recognition engine installed on said client system (Fig. 4, element 76 and column 7, lines 44-48);,
- a communication component installed on said client system configured to establish communications with a communication component on a server system which provides access to information stored on said server (Fig. 4, element 30 and 74 and column 10, lines 14-18); and
- a voice navigation component (column 9, lines 53-55) configured to provide information-dependent grammars (conversational templates) from said server to said speech recognition engine (Fig. 4, element 122 and column 3, lines 39-42) via said communication component based on initial information loaded from said server to said client and configured to process results of said speech recognition system (column 7, lines 44-48).

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Regarding claim 2; Profit, Jr. et al. discloses a client system for gathering information via a network by voice input wherein,

- said speech recognition engine further includes a speech synthesis engine (Fig. 4, element 80 and column 7, lines 58-59).

Regarding claim 3, Profit, Jr. et al. discloses a client system for gathering information via a network by voice input wherein,

- said communication component on said client system and said voice navigation component form an integral component (Fig. 17, element 538 and 542).

Regarding claim 4, Profit, Jr. et al. discloses a client system for gathering information via a network by voice input wherein,

- said communication component on said client system is a browser (Fig. 4, element 30 and column 10, lines 1-6).

Regarding claim 5, Profit, Jr. et al. discloses a client system for gathering information via a network by voice input wherein,

- said voice navigation component is configured to locate, select, and initialize a speech recognition engine and a speech synthesis engine (inherent due to the fact that both components reside in the same software suite),
- and to enable and disable information-dependent grammar (conversational templates Fig. 14, element 290 and 291 and column 14, lines 35-52),

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- and to process recognition results from said speech recognition engine (column 7, lines 44-48).

Regarding claim 6, Profit, Jr. *et al.* discloses a client system for gathering information via a network by voice input wherein,

- said network is an Intranet or an Internet (column 6, lines 57-58).

Regarding claim 7, Profit, Jr. *et al.* discloses a client-server system comprising:

- a client having a speech recognition engine (Fig. 4, element 76 and column 7, lines 44-48), and
- a speech synthesis engine (Fig. 4, element 80 and column 7, lines 58-59),
- a client communication component configured to establish communications with a server (Fig. 4, element 30 and 74 and column 10, lines 14-18), and
- a voice navigation component configured to provide information-dependent grammars from said server to said speech recognition engine via said client communication component based on initial information loaded from said server to said client (conversational templates Fig. 14, element 290 and 291 and column 14, lines 35-52), and
- further configured to process results of said speech recognition engine (column 7, lines 44-48), and

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- a server having a server communication component configured to establish communication with a client (column 7, lines 32-38).
- a voice navigation component (column 7, lines 66-67 and column 8, lines 1-3); configured to provide information-dependent grammars from said server to said speech recognition engine based on said initial information and further configured to process said results of said speech recognition engine wherein said voice navigation component is available for download to and execution on said client (column 7, lines 36-57)
- said information-dependent grammars are available for download to and execution on said client (Fig. 4, element 122).

Regarding claims 8 and 19, Profit, Jr. *et al.* discloses a method and machine readable storage for gathering information via a network by voice input comprising,

- loading an initial information from a server in a client using a communication component (Fig. 11 and column 13, lines 38-46);
- automatically loading an information-dependent grammar in said client by using access information contained in said initial information and automatically providing said information-dependent grammar to a speech recognition

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engine disposed in said client for recognizing spoken words defined by said information-dependent grammar (column 7, lines 34-43);

- sending results of said speech recognition engine to a voice navigation component (column 7, lines 49-57); and
- processing results of said speech recognition engine in said voice navigation component (column 7, lines 49-57).

Regarding claims 9 and 20, Profit, Jr. et al. discloses a method and machine readable storage for gathering information via a network by voice input wherein,

- said information-dependent grammar defines possible input values of Web related Web pages, Web pages belonging to a Web application, or a related Web application (column 9, lines 56-60).

Regarding claims 10 and 21, Profit, Jr. et al. discloses a method and machine readable storage for gathering information via a network wherein,

- said initial information is a Web page made available by said server (column 13, lines 58-61).

Regarding claim 17, Profit, Jr. et al. discloses a method and machine readable storage for gathering information via a network wherein,

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- said voice navigation component is configured to process a spoken response (column 7, lines 44-47) ;
- a change of browser content (column 13, lines 25-37);
- and an HTTP-request to load a new application, applet, or Web page (column 10, lines 14-18).

Regarding claim 18, Profit, Jr. et al. discloses a method and machine readable storage for gathering information via a network wherein,

- said voice navigation component is configured to redraw a content frame (column 10, lines 29-34),
- to retrieve information from a server, and to initiate a server-based transaction from said speech recognition and synthesis engine (column 7, lines 34-43).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. **Claims 11-13 and 22-24** are rejected under 35 U.S.C. 103(a) as being unpatentable over Profit, Jr. et al. as applied to claim 10 and 19 above, and in view of Barclay et al. (USPN 5960399).

Regarding claims 11 and 22, Profit, Jr. et al. fail to teach an

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initial web page containing a reference to said voice navigation component stored on said server. However, Barclay *et al.* teach of a web page containing reference to voice navigation component stored on the server side (Fig. 4 and column 8, lines 36-64). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to supplement Profit, Jr. *et al.*'s system for voice controlled information retrieval with a reference on said initial web page to voice navigation component to allow for a variety of speech applications to be performed over the Internet or other such network (column 8, lines 65-67 and column 9, lines 1-2).

Regarding claims 12 and 23, Profit Jr., *et al.* and Barclay *et al.* both fail to disclose of initial web page containing a reference to a point-and-click component. However, the examiner takes Official Notice that it is old and well known in the art to reference a point-and-click component on initial web page to traverse through the contents of a web page via a graphical user interface. Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to include Profit's web page with a point and click component (mouse) reference to allow for basic navigation through a web page.

Regarding claims 13 and 24, Profit Jr., *et al.* fail to disclose of identifying reference information on initial web page for accessing voice navigation component and point-and-click component. However, Barclay *et al.* teach of automatically identifying reference information in said initial web page (embedded applet, Fig. 4 and

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column 8, lines 48-58). It would have been obvious for one of ordinary skill in the art at the time of applicant's invention to supplement Profit Jr. et al.'s initial web page with identified reference information so as to for multimodal interaction and navigation through the world wide web.

Moreover, neither Profit Jr. et al. nor Barclay et al. specifically disclose of the automatic loading of a voice navigation component and a point-and-click component from server to client. However, the examiner takes Official Notice that it is old and well known in the art to automatically load the interface components with the loading of information for the initial web page. Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to include the automatic loading of said voice and point and click component from server to client in Profit Jr. et al.'s system for voice controlled information retrieval to allow for multimodal interaction and navigation through the world wide web.

8. **Claims 14 and 25** is rejected under 35 U.S.C. 103(a) as being unpatentable over Profit Jr. et al, as applied to claim 13 above, in view of Barclay et al. and further in view of Sorsa (USPN 624945).

Regarding claims 14 and 25, Profit Jr., et al. and Barclay et al. fail to disclose of automatically associating identified reference information with information-dependent grammars in initial web page and automatically loading said identified information-dependent

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grammar in said client, and providing said speech recognition engine with access to said information-dependent grammar via said voice navigation component. However, Sorsa teaches of automatically associating identified reference information with information-dependent grammars in initial web page and automatically loading said identified information-dependent grammar in said client (Fig. 3 element 304 and column 7, lines 34-42), and providing said speech recognition engine with access to said information-dependent grammar via said voice navigation component (column 5, lines 44-61).

Therefore, it would have been obvious for one of ordinary skill in the art at the time of applicant's invention to supplement the system for voice-controlled information retrieval of Profit Jr. *et al.* and Barclay *et al.* with identifying, loading, and providing access of grammars to the speech recognition engine to reduce the processing capabilities and memory resources required at the client terminal (column 3, lines 5-7).

9. **Claims 15 and 26** are rejected under 35 U.S.C. 103(a) as being unpatentable over Profit Jr., *et al.* as applied to claim 12 above in view of Barclay *et al.*, and further in view of Borges *et al.* (IEEE SMC 99).

Regarding claims 15 and 26, Profit Jr. *et al.* and Barclay *et al.* fail to teach of a voice navigation component and point and click component having a common user-interface including user selectable options. Borges discloses of a voice navigation component and point

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and click component having a common user-interface (page 84) including user selectable options (page 85, allows for navigating by voice or by mouse). Therefore it would have been obvious for one of ordinary skill in the art at the time of the invention to have Profit Jr.'s, et al. method for gathering information via a network by voice input be supplemented by a common user interface between a voice navigation component and a point and click component because Borges et al. teaches that this allows for user efficiency and user satisfaction (page 80).

10. **Claims 16 and 27** are rejected under 35 U.S.C. 103(a) as being unpatentable over Profit Jr. et al. as applied to claim 15 above, in view of Barclay et al., and further in view of Borges et al. and further in view of Ladd et al (USPN 6,539,359).

Regarding Claims 16 and 27, Profit Jr. et al., Barclay et al. and Borges et al. all fail to disclose of a voice navigation component interface including options for selecting information dependent grammars stored on a server. Ladd et al. discloses a voice navigation component user interface with options for selecting information-dependent grammars stored on said server (column 4, lines 11-27). Therefore it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to have Profit Jr.'s, et al. method for gathering information via a network by voice input be supplemented by options for selecting information-dependent grammars to allow for the compatibility of different limitations such as gender

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and type of language of the user and the type of device being used
(column 4, lines 24-27).

Regarding Claim 28, Claim 28 recites the same or similar limitations as claim 17, above, and so is rejected for the same reasons.

Regarding Claim 29, Claim 29 recites the same or similar limitations as claim 18, above, and so is rejected for the same reasons.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Thrift et al. (USPN 6188985) teach of a hand-held wireless voice-activated device for controlling a host system, such as a computer connected to the Word Wide Web. Brown et al. teach of a platform for implementing interactive voice-response (IVR) applications over the Internet including a speech synthesizer, a grammar generator and a speech recognizer.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donald Young whose telephone number is (571) 272-8134. The examiner can normally be reached on 8:30 a.m. to 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Talivaldis Smits can be reached on (571) 272-7628. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained

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from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Donald Young
Examiner
Art Unit 2654

06/02/05



RICHEMOND DORVIL
SUPERVISORY PATENT EXAMINER